

**REMARKS**

Entry of the foregoing is respectfully requested. Claims 1, 4-5, 7 and 9 are presented for examination. Claims 6 and 8 are canceled and claims 2 and 3 are withdrawn.

In the Official Action dated June 14, 2006, the Examiner required election under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Specifically, the Examiner requested election of one of the allegedly distinct species recited in claims 2-5.

In response, Applicants hereby elect the species wherein the inhibiting means is closure of stomata of the leaves, as recited in claims 4 and 5. Claims 1, 4-5, 7 and 9 read on or at least are capable of providing coverage for the elected species. Accordingly, examination of at least claims 1, 4-5, 7 and 9 is respectfully requested. Moreover, upon the allowance of generic claim 1, Applicants are entitled to consideration and allowance of each of claims 1-5, 7 and 9.

Should any questions arise in connection with this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Applicants respectfully assert that no fee is due in connection with the filing of this response. However, if there are any fees due in connection with the filing of this response, please charge those fees to Deposit Account No. 50-0573.

**CONCLUSION**

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,  
including any required extension of time fees, or credit any overpayment to Deposit

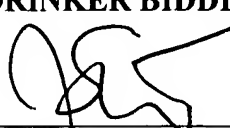
Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR  
EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

Dated: August 8, 2006

By: \_\_\_\_\_

  
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